

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed 2/19/2008.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cherchali et al. (US 6847704), hereafter Cherchali, further in view of Eshun et al. (US 2005/0031108), hereafter Eshun.

Regarding **claim 1**, Cherchali discloses:

A communication system (Fig. 1) comprising employing HTTP as a transfer protocol (Fig. 2, items G and H); writing required provision-request documents and provision-response documents in XML syntax (Fig. 2, items G and H, Fig. 3 items h and j,); enabling a VoIP device to communicate with a provisioning server of an ITSP in a connection over the Internet (Abstract, "A provisioning server communicates with the telephony adapter, see also Fig. 1), retrieving setting parameters required by the VoIP device from a user database of the provisioning server (Fig. 2, steps G-I), and automatically configuring the VoIP (Fig. 2, Fig. 3).

Regarding **claim 2 as applied to claim 1**, Cherchali discloses:

wherein in response to activating the VoIP device, the VoIP device uses the HTTP as a transfer protocol to issue a provision-request package and send the same to the provisioning server over the Internet so that the provisioning

server verifies the identification of the provision-request package in response to receiving the provision-request package, and if the verification is true, reads parameters from the user database of the provisioning server required to configure the VoIP device, stores the configuration parameters in a provision-response package, and sends the provision-response package back to the VoIP device, and the VoIP device performs a configuration on itself based on the sent back configuration parameters in response to receiving the provision-response package. (Col. 4, lines 21-49, Note that the provisioning server verifies the MAC address of the telephony device, then sends information to the subscriber if the MAC address is identified as legitimate. This process is preformed in conjunction with the previously cited process in Fig. 2)

Regarding **claim 3 as applied to claims 1-2**, Cherchali discloses:

wherein after finishing the configuration, registration and related processing with respect to the VoIP device are done by a call agent of the ITSP. (Fig. 5-6 disclose further functions preformed by a call management server (i.e. a call agent.)

Cherchali does not disclose proceeding with a registration to a call agent of the ITSP based on addresses and ports of the call agent described in the parameters.

The general concept of including a call agent address and port and service scope in a response is well known in the art as taught by Eshun. ([0093-0094] teach the inclusion of signaling server addresses and other management server addresses, additionally class configuration parameters include a service scope. Port information

would be inherent in the inclusion of signaling server addresses or else the client would not be able to connect to the servers.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cherchali and Park with the general concept of including a call agent address and port and service scope in a response as taught by Eshun in order to reduce the number of messages necessary to set up a device.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cherchali and Eshun as applied to claims 1-3 above, and further in view of Park (US 2003/0177271).

Regarding **claims 4-5**, Cherchali discloses:

Request means (these are inherent in the XML request and response G and I in Fig. 2, as in order for the recipient of the message to understand what to do with it, it must have some sort of identifier stating the purpose of the message)

Header means (including the XML version in the header XML request is inherent as per the definition of the XML standard.)

Message body means (Col. 5 lines 29-57 list many different items that may be included in the body of the message, for instance the encryption key)

Device information means (Col. 5 lines 29-57 disclose including the IP address and MAC address of the device in the request, in addition, these addresses are inherently in the structure of IP packets and Ethernet frames that are transmitted on the network.)

Cherchali and Eshun teach all the limitations of claims 4-5 except for including in the messages: product descriptions, customer numbers, and serial numbers.

The general concept of including product descriptions, customer numbers and serial numbers in a provisioning request or response is well known in the art as taught by Park. ([0013-0014] teach the inclusion of device type (i.e. product description), device ID (customer number), and a serial number in an XML provisioning request/response.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cherchali and Eshun with the general concept of including product descriptions, customer numbers and serial numbers in a provisioning request or response as taught by Park in order to allow greater customization of provisioning information based off of individual device parameters.

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cherchali, Eshun and Park.

Cherchali teaches: means for representing an address of FTP, TFTP, or HTTP sever and means for representing a name of a firmware file. (Col. 5 lines 42-45 disclose a configuration file name and an address of the server that has the file.)

Means for representing a name of the VoIP device. (The name is represented by the MAC address of the VOIP device, as well as the IP address, plus any FQDN that might be assigned to the device.)

Cherchali and Park teach all the limitations of claims 6-7 except for including the address and port of the call agent and a service scope.

The general concept of including a call agent address and port and service scope in a response is well known in the art as taught by Eshun. ([0093-0094] teach the inclusion of signaling server addresses and other management server addresses, additionally class configuration parameters include a service scope. Port information would be inherent in the inclusion of signaling server addresses or else the client would not be able to connect to the servers.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cherchali and Park with the general concept of including a call agent address and port and service scope in a response as taught by Eshun in order to reduce the number of messages necessary to set up a device.

Response to Arguments

6. Applicant's arguments filed 2/19/2008 have been fully considered but they are not persuasive.

7. The Examiner notes that the change in grounds of rejection was caused by the amendment made to claim 1 specifying that the parameters include addresses and communication ports of the call agent. This limitation was not found in incorporated claims 2 and 3.

8. Applicant argues that: There is no suggestion in the Cherchali patent of employing HTTP as a transfer protocol between a VoIP device and an ITSP and enabling the VoIP device to issue required provision-request documents in XML syntax to the provisioning server of the ITSP.

9. The Examiner disagrees, As cited in the rejections above, and the rejections of record, a voice communication device over the internet uses XML documents to communicate with a provisioning server. (Note at least Fig. 2 step G, in which an XML service request is sent over HTTP between a VoIP device and a provisioning server.)

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL E. KEEFER whose telephone number is (571)270-1591. The examiner can normally be reached on Monday through Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MEK 6/5/2008

/Joseph E. Avellino/

Primary Examiner, Art Unit 2146